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DIRECTOR'S OFFICE  
TECHNOLOGY CENTER 2600

In re Application Of:  
DEPUE, MARSHALL THOMAS, ET AL  
Application No: 10/826,799  
Filed: April 15, 2004  
Title: **OPTICAL DEVICE THAT MEASURES :  
DISTANCE BETWEEN THE DEVICE :  
AND A SURFACE** :

NOTICE OF WITHDRAWAL  
FROM ISSUE  
**UNDER 37 C.F.R. 1.313(b)**

The purpose of this communication is to inform you that the above identified application is being withdrawn from issue pursuant to 37 C.F.R. 1.313.

The above-identified application is hereby withdrawn from issue.

Patent and Trademark Office records reveal that the issue fee has not been paid. If the issue fee has been submitted, the applicant may request a refund, or may request that the fee be credited to a deposit account. However, applicant may wait until the application is either again found allowable or held abandoned. If the application is allowed, upon receipt of a new Notice of Allowance and Issue Fee Due, applicant may request that the previously submitted issue fee be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due. If the application is abandoned, applicant may request either a refund or a credit to a deposit account.

Telephone inquiries should be directed to Bipin Shalwala at 571-272-7681.

The above-identified application is being forwarded to the examiner for prompt appropriate action, including notifying applicant of the new status of this application.

Andrew Faile  
Director, Technology Center 2600

cc: Office of Publications  
Patent Clerk, South Tower, Room 08C15  
Supervisory Correspondence Clerk, South Tower, Room 08C15